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10/089325

Attorney Docket No. KZ0445US (#90581)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Tetutoshi Mithiue, Shyouiti Fujii, Takashi Doi, Takeshi Okamoto
Serial No. : 10/089,325 Confirmation No. 1360
I.A.Filing Date: September 27, 2000 Int'l Application No. : PCT/JP00/06633
Title : WINGED INJECTION NEEDLE HAVING NEEDLE COVERING MEANS
Attorney Docket No. : KZ0445US (#90581)

Box PCT
Commissioner for Patents
Washington, D.C. 20231

COMPLETION OF MISSING REQUIREMENTS

I. (X) This replies to the office letter dated June 7, 2002.

(X) A copy of the Notice of Missing Requirements is enclosed.

EXTENSION OF TIME

II. Enclosed is a (check either (a) or (b), as applicable)

- (a) () Petition and fee for extension of time
(b) () Conditional petition and fee for any extension
of time which may be required

WARNING: Submission of the appropriate extension fee under 37 CFR 1.136(a) is to no avail **unless** a request or petition for extension is also filed. (Emphasis added). Notice of November 5, 1985 (1060 O.G. 27).

EXPRESS MAIL CERTIFICATE

I hereby certify that the paper(s) identified above, and any noted as being attached, is being deposited with the United States Postal Service as Express Mail Label Number EV076803055US, postage prepaid, on the date indicated below and addressed: Box PCT, Commissioner for Patents, Washington, DC 20231.

Date:

July 12, 2002

Katherine R. Vieyra
Katherine R. Vieyra

(Signature of person mailing paper)

DECLARATION OR OATH

- III. (X) No original declaration or oath was filed and enclosed is the original declaration or oath for this application.

OR

- () The original declaration or oath which was filed was determined to be defective. A new original oath or declaration is attached.

NOTE: 37 CFR 1.41(a) points out that "Full names must be stated, including the family name and at least one given name without abbreviation together with any other given name or initial."

NOTE: For surcharge fee for filing declaration after filing date complete item VI(3) below.

NOTE: Acceptable minimums in the declaration for identification of the specification to which it applies are the name of the inventor **and** (1) serial number (2) attorney docket number which was on the application as filed and the filing date (3) title of the invention and filing date (4) title of invention and reference to a specification which is attached to the declaration at the time of execution and filed with the declaration or (5) title of invention and a statement by a registered attorney that the application filed in the PTO is the application which the inventor executed by signing the declaration. If identification (4) is used it must be accompanied by a statement that the "attached" specification is a copy of the specification and any amendments thereto which were filed in the PTO to obtain the filing date; such a statement must be a verified statement if made by a person not registered to practice before the PTO. Notice of September 12, 1983 (1035 O.G. 3).

NOTE: Another minimum found acceptable in the declaration is the filing date (i.e., date of express mail) and the express mail number, useful where the serial number is not yet known. But note the practice where the express mail deposit is a Saturday, Sunday or holiday within the District of Columbia. 37 CFR 1.10(c).

(complete (c) or (d), if applicable)

Attached is a

- (c) (X) Statement by a registered attorney that the application filed in the PTO is the application which the inventor(s) executed by signing the declaration.
- (d) () Statement that the "attached" specification is a copy of the specification and any amendments thereto which were filed in the PTO to obtain the filing date.

AMENDMENT CANCELING CLAIMS

IV. () Cancel claims ____ inclusive.

TRANSMITTAL OF ENGLISH TRANSLATION OF NON-ENGLISH LANGUAGE PAPERS

V. () Submitted herewith is a verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO.

FEES

VI. **WARNING:** Failure to submit the surcharge fees where required will cause the application to become abandoned. 37 CFR 1.53(d).

NOTE: The filing fees, fees for claims and surcharge fees listed below in items 1,2 and 3 are reduced by 50% where proof of a small entity status is established on or before the date the fee is paid. If the full fee was paid by a verified statement is filed within 2 months of the date of timely payment of a fee then the excess fee paid will be refunded on request. 37 CFR 1.28(a).

1. Filing Fee

- | | | |
|-----|--|----|
| () | original patent application (37 CFR 1.16(a) - \$710.00;
Small entity - \$355.00 | \$ |
| () | design application (37 CFR 1.16(f) -
\$320.00; small entity - \$160.00) | \$ |

2. Fees for claims

- | | | |
|-----|---|----|
| () | each independent claim in excess of 3 (37 CFR 1.16(b) -
\$80.00; small entity - \$40.00) | \$ |
| () | each claim in excess of 20 (37 CFR 1.16(c) -
\$18.00; small entity - 9.00) | \$ |
| () | multiple dependent claim(s) (37 CFR 1.16(d) -
\$270.00; small entity - \$135.00) | \$ |

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3. Surcharge fees

- () late payment of filing fee and/or \$
(X) late filing of original declaration or oath
(37 CFR 1.16(e) - \$130.00; small entity - \$65.00) \$ 130.00

NOTE: Even where a facsimile declaration or oath signed by the inventor(s) was part of the originally filed papers the surcharge fee is required.

NOTE: If both the filing fee **and** declaration or oath were missing from the original papers only one surcharge fee for both need be paid. 37 CFR 1.16(e).

4. () Petition fee for filing by other than all the inventors or a person not the inventor (37 CFR 1.17(h) and 1.47 - \$130.00) \$
5. () Fee for processing an application filed with a specification in a non-English language (37 CFR 1.17(k) and 1.52(d) - \$130.00) \$
6. () Fee for processing and retention of application (37 CFR 1.21(l) and 1.53(d) - \$130.00) \$
Total fees \$ 130.00

SMALL ENTITY STATUS

- VII.** () A statement that this filing is by a small entity
() is attached
() a separate refund request accompanies this paper
() was made with the initial filing on ____.

NOTE: If an original verified statement **and** a refund request is filed within two months of the date of payment of a fee then the excess fee paid will be refunded on request. 37 CFR 1.28(a).

PAYMENT OF FEES

- VIII.** () Enclosed is a check in the amount of \$.
(x) Enclosed is a Credit Card Payment Form in the amount of \$ 130.00.
() Charge Account No. 08-2441 in the amount of \$

A duplicate of this request is attached.

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AUTHORIZATION TO CHARGE ADDITIONAL FEES

WARNING: Accurately count claims, especially multiple dependent claims, to avoid unexpected high charges if extra claims are authorized.

- (X) The Commissioner is hereby authorized to charge the following additional fees which may be required by this paper and during the pendency of this application to Account No. 08-2441.
- (X) 37 CFR 1.16 (filing fees)
 - (X) 37 CFR 1.16 (presentation of extra claims)
 - (X) 37 CFR 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)
 - () 37 CFR 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 CFR 1.311(b))

Respectfully submitted,

By: 

D. Peter Hochberg
Reg. No. 24,603

DPH/KRV

Enc. - attorney statement; declaration; credit card payment form

D. Peter Hochberg Co., L.P.A.
The Baker Building
1940 East 6th Street - Sixth Floor
Cleveland, Ohio 44114
(216) 771-3800



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20231
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/089,325	Tetutoshi Mithiue	KZ0445US(#90581)

INTERNATIONAL APPLICATION NO.
PCT/JP00/06633

I.A. FILING DATE	PRIORITY DATE
09/27/2000	09/27/1999

28672
 D. PETER HOCHBERG CO. L.P.A.
 1940 EAST 6TH STREET
 CLEVELAND, OH 44114

CONFIRMATION NO. 1360

371 FORMALITIES LETTER



OC000000008232040

Date Mailed: 06/07/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- English Translation of the IA
- Preliminary Amendments
- Request for Immediate Examination

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

Telephone: (703) 305-3734

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/089,325	PCT/JP00/06633	KZ0445US(#90581)

FORM PCT/DO/EO/905 (371 Formalities Notice)